

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CRIMINAL CASES**

Directions: Counsel must make a **docketing statement (criminal)** entry in CM/ECF within 14 days of filing a notice of appeal or cross appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form and any extended answers and (2) any transcript order form. Counsel who filed the notice of appeal is responsible for filing the docketing statement even if different counsel will handle the appeal. In criminal cases, counsel who represented the defendant below must continue on appeal unless the court of appeals grants a motion to withdraw. Appellants proceeding pro se are not required to file a docketing statement. Opposing counsel may file objections to the docketing statement within 10 days of service using the ECF event-**docketing statement objection/correction**.

Appeal No. & Caption	No. 23-4509 United States of America, Plaintiff-Appellee, v. Russell Lucius Laffitte, Defendants-Appellant
Originating No. & Caption	No. 9:22-cr-00658-RMG United States of America v. Russell Lucius Laffitte
District Court & Judge	District of South Carolina, District Judge Richard M. Gergel

Jurisdiction (answer any that apply)		
Date of entry of order/judgment appealed from	August 2, 2023	
Date this notice of appeal filed	August 8, 2023	
If cross appeal, date first notice of appeal filed		
Date of filing any post-judgment motion		
Date order entered disposing of any post-judgment motion		
Date of filing any motion to extend appeal period		
Time for filing appeal extended to		
Is appeal from final order or judgment?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If appeal is not from final judgment, why is order appealable?		

Transcript – Order all necessary transcript now. Extensions of the briefing schedule to order additional transcript are disfavored

(Identify necessary transcript dates and state whether the transcript is on file or a copy of the transcript order is attached.).

Trial Date(s):	November 8-22, 2022	<input checked="" type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input type="radio"/> Not Needed
Plea Date:		<input type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input type="radio"/> Not Needed
Sentence Date:	August 1, 2023	<input checked="" type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input type="radio"/> Not Needed
Other Date(s):		<input type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input type="radio"/> Not Needed

Case Handling Requirements (answer any that apply)

Case number of any prior appeal in same case		
Case number of any pending appeal in same case		
Identification of any case pending in this Court or Supreme Court raising similar issue	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If yes, motion to expedite must be filed.		

Issues (Non-binding statement of issues to raise on appeal. Attach additional page if necessary.)

There are numerous issues Mr. Laffitte intends to raise on appeal. The primary issue, which has been discussed in his Motion for Release Pending Appeal, is that two jurors were improperly removed from the jury and replaced with alternates. Additional grounds for appeal include erroneous evidentiary rulings, faulty jury instructions, denial of new trial motions, and misapplication of the sentencing guidelines. The appeal will also address the sufficiency of the evidence presented at trial.

Appellant's Name & Address	Counsel's Name & Address
Name: Russell Lucius Laffitte Address: N/A E-Mail: N/A Phone: N/A	Name: Mark C. Moore Address: MAYNARD NEXSEN PC 1230 Main Street, Suite 700 Columbia, SC 29201 E-Mail: mmooore@maynardnexsen.com Phone: 803.771.8900

Signature: s/ Mark C. Moore **Date:** August 24, 2023

Counsel for: Defendant-Appellant Russell Lucius Laffitte

Certificate of Service *(required for parties served outside CM/ECF)*: I certify that this document was served on _____ by ☐ personal delivery; ☐ mail; ☐ third-party commercial carrier; or ☐ email (with written consent) on the following persons at the addresses or email addresses shown:

N/A

Signature:

Date: